

1634 *zfw*

	Application Number	10/018,112	
	Filing Date	October 28, 2002	
	First Named Inventor	Petersdorf, Effie W.	
	Art Unit	1634	
	Examiner Name	Stephen Thomas Kapushoc	
Total Number of Pages in This Submission	3	Attorney Docket Number	14538A-005210US

ENCLOSURES (Check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Restriction/Election Requirement/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard		
<table border="1"> <tr> <td>Remarks</td> <td>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td> </tr> </table>			Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm Name	Townsend and Townsend and Crew LLP			
Signature	<i>William B. Kezer</i>			
Printed name	William B. Kezer			
Date	08/28/06	Reg. No. 37,369		

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature	<i>Jennifer K. Hardin</i>	
Typed or printed name	Jennifer K. Hardin	Date 08/28/06

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On August 28, 2006

TOWNSEND and TOWNSEND and CREW LLP

By: Jennifer K. Hardin  
Jennifer K. Hardin



PATENT  
Attorney Docket No.: 14538A-005210US  
Client Ref. No.: 180-14538A-452-1  
UW Ref. No. 3186-4102PT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

PETERSDORF et al.

Application No.: 10/018,112

Filed: October 28, 2002

For: OLIGONUCLEOTIDE ARRAYS  
FOR HIGH RESOLUTION HLA  
TYPING

Customer No.: 20350

Confirmation No. 1480

Examiner: Stephen Thomas Kapushoc

Technology Center/Art Unit: 1634

RESPONSE TO  
RESTRICTION/ELECTION  
REQUIREMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office communication mailed July 27, 2006  
(Restriction/Election Requirement), Applicants elect to prosecute the invention of Group I,  
claims 1-11, drawn to a microarray of HLA Class 1 oligonucleotides.

In response to the Examiner's request for an election of species, Applicants elect  
HLA-B oligonucleotide probes identified as subgroup (ii).

Appln. No. 10/018,112

Response to Restriction/Election Requirement dated August 28, 2006

Office Communication dated July 27, 2006

This election is made with traverse, as Applicants believe that there would be no serious burden on the U.S. Patent and Trademark Office to search and review the full scope of the invention as claimed. With respect to the Office's additional requirement for an election of species, Applicants elect the species identified as subgroup (ii) HLA-B oligonucleotide probes. Again, the election is made with traverse. In particular, a search of the art associated with microarrays of HLA probes would likely not be a serious burden. Applicants further note that the Office had previously issued a first action on the merits. It is unclear what additional searching, if any, would be required at this time and be sufficient to warrant the present restriction requirement and election of species.

The Office has indicated, and Applicants confirm, that claims 1-5 and 9-11 are generic, and claims 6, 7 in part, and 8 correspond to the present election of HLA-B probes.

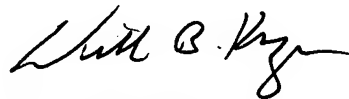
Applicants respectfully reserve the right to rejoin claims withdrawn by the Office in accordance with the provisions of MPEP § 821.04.

### CONCLUSION

In view of the above, Applicants believe that the application is now in condition for substantive review on the merits.

If for any reason the Examiner feels that a telephone conference would expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 925-472-5015.

Respectfully submitted,



William B. Kezer  
Reg. No. 37,369

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 925-472-5000/Fax: 415-576-0300  
#60852636